

ITEM 1 - AUTHORIZATION TO ACCEPT THE CONSTRUCTION AND INSTALLATION OF APPROXIMATELY 1192 LINEAR FEET OF EIGHT (8") INCH PVC (C-900), THREE (3) HYDRANTS, FOUR (4) LINE VALVES, AND APPURTENANCES IN PLEASANT WOODS SUBDIVISION, TOWN OF HAMBURG, NEW YORK, EC NO. 7360, PROJECT NO. 202200274

Motion by seconded by

WHEREAS, the Erie County Water Authority (the "Authority") entered into a Main Extension Agreement (Builder-Contractor-Developer) with Essex Homes of WNY, Inc. and Anastasi Trucking, Inc. relative to Pleasant Woods Subdivision, Town of Hamburg, New York, EC No. 7360; and

WHEREAS, the Bill of Sale and the Schedule of Inventory, both dated March 28, 2025, have been approved by Leonard F. Kowalski, Executive Engineer, and the construction and installation of approximately 1192 linear feet of eight (8") inch PVC (C-900), three (3) hydrants, four (4) line valves, and appurtenances have been installed in accordance with the specifications of the Authority; and

WHEREAS, the Division of Environmental Health of the Health Department of the County of Erie has approved the completed works for public water supply improvement for Pleasant Woods Subdivision, Town of Hamburg, New York; and

WHEREAS, Jessica R. Brown, Comptroller, has reviewed the costs of the main and hydrant and finds them reasonable and correct; and

WHEREAS, Leonard F. Kowalski, Executive Engineer, recommends approval and acceptance of said main and hydrant;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority accepts the construction and installation of approximately 1192 linear feet of eight (8") inch PVC (C-900), three (3) hydrants, four (4) line valves, and appurtenances and said mains and hydrant be added to the property records of the Authority.

Ayes:

Noes:

05/15/25-alh

ITEM 2 - AWARD OF CONTRACT TO D&H EXCAVATING, INC. FOR WATER SERVICE INVESTIGATIONS, CONTRACT 1, PROJECT NO. 202500057 - \$3,168,250.00

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 1st day of April 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water Service Investigations, Contract 1; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 24th day of April 2025, and were as follows:

BIDDERS	AMOUNT
D&H Excavating, Inc.	\$ 3,168,250.00
CMH Company, Inc.	3,378,300.00
M&C Utilities, LLC	4,311,000.00
Russo Development, Inc.	4,819,000.00
Kandey Company, Inc.	4,984,000.00
E&R General Construction, Inc.	8,823,150.00; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined D&H Excavating, Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101802 Lead Service Line Inventory;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to D&H Excavating, Inc. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with D&H Excavating, Inc. for Water Service Investigations, Contract 1, as a unit price contract for the estimated total amount of \$3,168,250.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:

Noes:

05/15/25-alh

ITEM 3 - AWARD OF CONTRACT TO NEW FRONTIER EXCAVATING & PAVING, INC. FOR WATER SERVICE INVESTIGATIONS AND LEAD SERVICE REPLACEMENTS, CONTRACT B, VILLAGE OF DEPEW, PROJECT NO. 202500009 - \$3,072,637.50

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 13th day of March 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Water Service Investigations and Lead Service Replacements, Contract B, Village of Depew; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 8th day of April 2025, and were as follows:

BIDDERS	AMOUNT
New Frontier Excavating & Paving, Inc.	\$ 3,072,637.50
Russo Development, Inc.	3,448,750.00
CMH Company, Inc.	4,116,825.00
D&H Excavating, Inc.	4,487,125.00
716 Site Contracting, Inc.	4,550,900.00; and

WHEREAS, a bid submitted by Lamparelli Construction Company, Inc. was not accepted due to their lack of status as an official plan holder with Avalon;

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined New Frontier Excavating & Paving, Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 2590 Eng/Const Distribution Mains, Item No. 101804 Lead Service Line Replacement;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to New Frontier Excavating & Paving, Inc. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with New Frontier Excavating & Paving, Inc. for Water Service Investigations and Lead Service Replacements, Contract B, Village of Depew, as a unit price contract for the estimated total amount of \$3,072,637.50; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:

Noes:

05/15/25-alh

ITEM 4 - AWARD OF CONTRACT TO MARK CERRONE, INC. FOR ASBESTOS CEMENT PIPE (ACP) AND ASBESTOS CONTAINING MATERIALS (ACM) ABATEMENT, REMOVAL, AND DISPOSAL, JUNE 1, 2025 THROUGH MAY 31, 2027, PROJECT NO. 202500020 - \$69,840.00

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 1st day of April 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for Asbestos Cement Pipe (ACP) and Asbestos Containing Materials (ACM) Abatement, Removal, and Disposal, June 1, 2025 through May 31, 2027; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 22nd day of April 2025, and were as follows:

BIDDERS	AMOUNT
Mark Cerrone, Inc.	\$ 69,840.00
Metro Environmental	77,000.00
Regional Environmental Demolition	19,661,708.00; and

WHEREAS, the bid amount stated in words submitted by Regional Environmental Demolition differed from the bid amount indicated by figures; and

WHEREAS, per Article 16.02 of the Instructions to Bidders, discrepancies between words and figures shall be resolved in favor of words; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Mark Cerrone, Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 O&M Budget includes funds for this project under Unit 2010 Line Maintenance, Item No. 15 Payments to Contractors – Repair, Unit 1020 Control Operations, Item No. 19 Payments to Contractors – Other, Unit 1010 Sturgeon Point Plant, Item No. 19 Payments to Contractors – Other, and Unit 1015 Van de Water Plant, Item No. 19 Payments to Contractors – Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Mark Cerrone, Inc. as the lowest responsible bidder for the abovementioned project, and be it further

RESOLVED: That the Chair is authorized to execute a contract with Mark Cerrone, Inc. for Asbestos Cement Pipe (ACP) and Asbestos Containing Materials (ACM) Abatement, Removal, and Disposal, June 1, 2025 through May 31, 2027, as a unit price contract for the estimated total amount of \$69,840.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:

Noes:

05/15/25-alh

ITEM 5 - AWARD OF CONTRACT TO ZOLADZ CONSTRUCTION CO., INC. FOR NEW OPERATIONS CENTER GRADING AND DRAINAGE PROJECT, IDENTIFIED AS CONTRACT NO. LA-007, PROJECT NO. 202300077 - \$4,003,699.00

Motion by seconded by

WHEREAS, the Erie County Water Authority (the “Authority”) advertised in Construction Exchange and the New York State Contract Reporter on the 11th day of March 2025, a notice inviting sealed bids in accordance with Public Authorities Law §1069 for New Operations Center Grading and Drainage Project, identified as Contract No. LA-007; and

WHEREAS, Authority personnel opened sealed bids in the office of the Authority on the 8th day of April 2025, and were as follows:

BIDDERS	AMOUNT
Zoladz Construction Co., Inc.	\$ 4,003,699.00*
716 Site Contracting, Inc.	4,152,000.00
Mark Cerrone, Inc.	5,294,846.00
Union Concrete & Construction Corp.	5,346,400.00
E&R General Construction, Inc.	6,505,740.00
Anastasi Trucking, Inc.	6,793,320.00
Legend Excavating, LLC	8,999,901.00

*Corrected Amount; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, have reviewed the specifications and bids and determined Zoladz Construction Co., Inc. is the lowest responsible bidder qualified to perform the project and have recommended that a contract be awarded to that firm for the abovementioned project; and

WHEREAS, the Authority’s 2025 Capital Budget includes funds for this project under Unit 3070 Facilities, Item No. 101334 Comprehensive Facilities Plan;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority awards the contract to Zoladz Construction Co., Inc. as the lowest responsible bidder for the abovementioned project; and be it further

RESOLVED: That the Chair is authorized to execute a contract with Zoladz Construction Co., Inc. for New Operations Center Grading and Drainage Project, identified as Contract No. LA-007, as a unit price contract for the estimated total amount of \$4,003,699.00; and be it further

RESOLVED: That the Secretary is authorized to return to the unsuccessful bidders their deposit submitted with their bid to the Authority for the abovementioned project.

Ayes:

Noes:

05/15/25-alh

ITEM 6 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH GHD CONSULTING SERVICES, INC. TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO VAN DE WATER WATER TREATMENT PLANT RESIDUALS TREATMENT SYSTEM UPGRADES, IDENTIFIED AS CONTRACT NO. GHD-008, PROJECT NO. 201900208 - \$265,000.00

Motion by seconded by

WHEREAS, on September 19, 2019, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded GHD Consulting Services, Inc. ("Consultant") a professional services agreement to provide consulting engineering services relating to Van De Water Water Treatment Plant Residuals Treatment System Upgrades, identified as Contract No. GHD-008 (the "Agreement"); and

WHEREAS, construction delays have resulted in the need for additional General Services and Resident Inspections from the Consultant; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, recommend that the Authority amend the Agreement by increasing the Consultant's fee by \$265,000.00; and

WHEREAS, in accordance with Article 5 of the Agreement, any modification or variation from the terms of the Agreement, must be in writing, authorized by a resolution of the Board and signed by all parties to be effective; and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 2515 Eng/Const Van de Water, Item No. 101537 GHD-008 VDW WTP Residuals;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with GHD Consulting Services, Inc. by increasing the Consultant's fee by \$265,000.00; and be it further

RESOLVED: That the Chair is hereby authorized to execute Amendment No. 1 on behalf of the Authority.

Ayes:

Noes:

05/15/25-alh

ITEM 7 - APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH HAZEN AND SAWYER TO PROVIDE CONSULTING ENGINEERING SERVICES RELATING TO CORROSION CONTROL TREATMENT PROGRAM – PIPE LOOP DEMONSTRATION STUDY, IDENTIFIED AS CONTRACT NO. HS-002, PROJECT NO. 202100152 - \$98,000.00

Motion by seconded by

WHEREAS, on June 24, 2021, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Hazen and Sawyer ("Consultant") a professional services agreement to provide consulting engineering services relating to Corrosion Control Treatment Program – Pipe Loop Demonstration Study, identified as Contract No. HS-002 (the "Agreement"); and

WHEREAS, the Authority wishes to add additional services to proactively prepare for the final Lead and Copper Rule Improvements recently issued by the U.S. Environmental Protection Agency; and

WHEREAS, Michael J. Quinn, Director of Distribution, and Leonard F. Kowalski, Executive Engineer, recommend that the Authority amend the Agreement by including two additional tasks:

1. Conceptual engineering for orthophosphate chemical feed systems at the Van de Water Water Treatment Plant and Sturgeon Point Water Treatment Plant.
2. Evaluation of reduction/removal of orthophosphate on lead release through testing the existing pipe loops located at the Van de Water Water Treatment Plant; and

WHEREAS, the Consultant has requested additional compensation of \$98,000.00 for the added services it will provide the Authority; and

WHEREAS, in accordance with Article 5, Paragraph 5.02 of the Contract, no modification or variation from the terms of the Agreement shall be effective unless it is in writing and authorized by a resolution of the Board and signed by all parties; and

WHEREAS, the Authority's 2025 Capital Budget includes funds for this project under Unit 1030 Water Quality Assurance, Item No. 101459 HS-002 Optimal Corrosion Control;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Agreement with Hazen and Sawyer by increasing the Consultant's fee by \$98,000.00 for the added services it will provide the Authority; and be it further

RESOLVED: That the Chair is hereby authorized to execute Amendment No. 1 on behalf of the Authority.

Ayes:

Noes:

05/15/25-alh

ITEM 8 - APPROVAL OF AMENDMENT NO. 1 TO THE INDUSTRIAL BLASTING, PAINTING, AND ASSOCIATED MAINTENANCE CONTRACT WITH NIAGARA COATINGS SERVICES, INC., PROJECT NO. 202400038

Motion by seconded by

WHEREAS, on June 5, 2024, the Erie County Water Authority's (the "Authority") Board of Commissioners (the "Board") awarded Niagara Coatings Services, Inc. ("Contractor") a contract for Industrial Blasting, Painting, and Associated Maintenance (the "Contract"); and

WHEREAS, the Contract provides for services to be provided to the Authority, as described in the Contract, from June 6, 2024 through June 5, 2025; and

WHEREAS, in accordance with Section 00500, Paragraph 11.00, Subparagraph A of the Contract, the parties may agree to extend the term of the Contract with the same terms and conditions for one year; and

WHEREAS, the Contractor has agreed to extend the term of the Contract for an additional one-year period from June 6, 2025 through June 5, 2026, based on the same terms and conditions, including but not limited to, labor billed at an hourly rate, at the service rates set forth in Section 00410, Paragraph 5.01, Item 1 of the Contract; and

WHEREAS, William W. Wheeler, Senior Distribution Engineer, and Leonard F. Kowalski, Executive Engineer, recommend approval of said Amendment No. 1; and

WHEREAS, the Authority's 2025 O&M Budget includes funds for this project under Unit 1010 Sturgeon Point Plant, Item No. 19 Payments to Contractors – Other, Unit 1015 Van de Water Plant, Item No. 19 Payments to Contractors – Other and Unit 1020 Control Operations, Item No. 19 Payments to Contractors – Other;

NOW, THEREFORE, BE IT RESOLVED:

That the Board approves amending the Industrial Blasting, Painting, and Associated Maintenance contract with Niagara Coatings Services, Inc. by extending the Contract for an additional one-year term from June 6, 2025 through June 5, 2026 under the same terms and conditions; and be it further

RESOLVED: That the Chair is hereby authorized to execute Amendment No. 1 on behalf of the Authority.

Ayes:

Noes:

05/15/25-alh

**ITEM 9 - RATIFICATION OF THE INSTALLATION OF HYDRANTS AND
RETIREMENT OF EXISTING HYDRANTS - VARIOUS LOCATIONS**

Motion by seconded by

WHEREAS, the Engineering Department of the Erie County Water Authority (the "Authority") advised that hydrants were installed as part of the Authority's program to keep pace with improvements in firefighting technology, as follows:

Replaced existing 4' hydrant at 8097 East Eden Road, Town of Eden with a new 4' Kennedy hydrant on 03/27/2025. Work done by ECWA forces under Work Authorization No. 107.200 7489.

Hydrant originally installed prior to 01/06/2020 was scrapped and retired under Retirement Authorization No. R250012.

Replaced existing 6' hydrant at 31 Fairview Drive, Village of Depew with a new 6' Kennedy hydrant on 04/09/2025. Work done by ECWA forces under Work Authorization No. 107.200 7488.

Hydrant originally installed prior to 07/01/1999 was scrapped and retired under Retirement Authorization No. R250011.

Replaced existing 6' hydrant opposite 11665 Clinton Street, Town of Marilla with a new 6' Kennedy K81 hydrant on 04/15/2025. Work done by ECWA forces under Work Authorization No. 107.200 7487.

Hydrant originally installed prior to 12/17/2015 was scrapped and retired under Retirement Authorization No. R250010; and

WHEREAS, Leonard F. Kowalski, Executive Engineer ratifies said installations and work;

NOW, THEREFORE, BE IT RESOLVED:

That the Board of Commissioners of the Authority approve the retirement of the abovementioned hydrants at the abovementioned location; and be it further

RESOLVED: That the installation of the new hydrants in the abovementioned location, as part of the Authority's continuing program to improve its facilities is hereby approved, ratified and confirmed.

Ayes:

Noes:

05/15/25-alh

ITEM 10 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 - VAN DE WATER WATER TREATMENT PLANT RESIDUALS TREATMENT SYSTEM UPGRADES, IDENTIFIED AS CONTRACT NO. GHD-008, PROJECT NO. 201900208 - \$265,000.00

Motion by seconded by

WHEREAS, in a resolution dated October 17, 2024, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2025; and

WHEREAS, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Michael J. Quinn, Director of Distribution, funding is needed for budget item 101537 GHD-008 VDW WTP Residuals; and

WHEREAS, in order to provide funding for this project, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2515	101537	GHD-008 VDW WTP Residuals	\$ <u>265,000.00</u>	
2520	101512	Ball PS – Pumping Improvements		\$ <u>265,000.00</u>
Totals			\$ 265,000.00	\$ 265,000.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2025 be amended as listed above.

Ayes:

Noes:

05/15/25-alh

ITEM 11 - AUTHORIZATION TO AMEND THE ERIE COUNTY WATER AUTHORITY'S ANNUAL CAPITAL BUDGET FOR THE FISCAL YEAR 2025 – LEAD SERVICE LINE INVENTORY, PROJECT NO. 202500057 AND PROJECT NO. 202500089 - \$3,500,000.00

Motion by seconded by

WHEREAS, in a resolution dated October 17, 2024, the Erie County Water Authority (the "Authority") adopted its Annual Capital Budget for the fiscal year 2025; and

WHEREAS, from time to time, due to changes in spending priorities, availability of funds, or changes in other circumstances, the Authority finds it proper to amend its Budget to reflect such changes; and

WHEREAS, the Authority has been advised by Michael J. Quinn, Director of Distribution, funding is needed for budget item 101802 Lead Service Line Inventory; and

WHEREAS, in order to provide funding for this project, funds within the Capital Budget will need to be re-allocated as follows:

<u>Unit No</u>	<u>Capital No</u>	<u>Description</u>	<u>Increase</u>	<u>Decrease</u>
2590	101802	Lead Service Line Inventory	\$ <u>3,500,000.00</u>	
2590	101804	Lead Service Line Replacement		\$ <u>3,500,000.00</u>
Totals			\$ 3,500,000.00	\$ 3,500,000.00;

NOW, THEREFORE, BE IT RESOLVED:

That the Authority's Annual Capital Budget for the fiscal year 2025 be amended as listed above.

Ayes:

Noes:

05/15/25-alh

ITEM 12 - CREATION OF ONE POSITION OF CHIEF INSTRUMENT AND CONTROLS SPECIALIST (PART-TIME)

Motion by seconded by

WHEREAS, Pursuant to Article V, Title 3, Section 1053 of the Public Authorities Law, the Erie County Water Authority (“Authority”) has the authority to appoint an attorney and an engineer and such additional officers and employees as it may require for the performance of its duties, fix and determine their qualifications, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York and such rules as the Personnel Officer of the Count of Erie may adopt and make applicable to such authority; and

WHEREAS, Article V, Section 6 of the By-Laws of the Erie County Water Authority grants to the Authority the right to name and appoint from time to time an attorney or engineer and employees as it may require for the performance of its duties, fix their qualification, duties and compensation, subject to the provisions of the Civil Service Law of the State of New York; and

WHEREAS, on May 7, 2025, the Erie County Department of Personnel reviewed and approved the creation of one (1) position of Chief Instrument and Controls Specialist (Part-Time);

NOW, THEREFORE, BE IT RESOLVED:

That the Erie County Water Authority does hereby create one (1) position of Chief Instrument and Controls Specialist (Part-Time), Salary Grade 32E, with an hourly rate of \$70.98 - \$79.65, effective May 15, 2025.

Ayes:

Noes:

05/15/25-alh